

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06cv1065-WKW
)	
ONE THOUSAND ONE HUNDRED)	
FORTY NINE DOLLARS (\$1,149))	
DOLLARS IN UNITED STATES)	
CURRENCY,)	
)	
Defendant.)	

MOTION FOR DECREE OF FORFEITURE

Pursuant to the Federal Rules of Civil Procedure and Rule G of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims, the United States of America (United States) respectfully moves this Court for entry of a Decree of Forfeiture. This Motion is supported by the previously filed Verified Complaint for Forfeiture In Rem (Doc. #1), Warrant of Arrest In Rem (Doc. #2), and Entry of Default against Barryre Reese, Tabitha Jackson, Adlai Clarke and all other persons and entities having an interest in the Defendant currency (Doc. #12).

A proposed Decree of Forfeiture is submitted herewith.

Respectfully submitted this 21st day of May, 2008.

LEURA G. CANARY
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DECREE OF FORFEITURE

Before the court is the United States of America's (United States) Motion for Decree of Forfeiture.

On November 29, 2006, the United States filed a complaint of forfeiture (Doc. #1), pursuant to 18 U.S.C. § 981(a)(1)(C), alleging that the Defendant currency constituted and was derived from proceeds traceable to violations of 18 U.S.C. § 1344 and 18 U.S.C. § 1029;

It appearing that process was fully issued in this action and returned according to law;

That pursuant to a Warrant for Arrest In Rem (Doc. #2) issued by this Court, the United States Secret Service arrested the Defendant currency on November 30, 2006 (Doc. #4);

That notice of this action was published in the Montgomery Advertiser on January 5, 12 and 19, 2007 (Doc. #3);

That on April 13, 2007, Barryre Reese was served by certified mail (label receipt number 7000 1670 0013 2720 9793) with a copy of the Verified Complaint for Forfeiture In Rem, Notice of Complaint of Forfeiture In Rem, and Warrant and Summons for Arrest In Rem (Doc. #4);

That on April 14, 2007, and May 11, 2007, notice of certified mail was left at Tabitha Jackson's usual place of residence and abode (Doc. #4);

That on May 15, 2007, Eboni Whitney signed for the certified mail sent to Adlai Clarke at his usual place of residence and abode (Doc. #5);

That on May 15, 2008, Barryre Reese, Tabitha Jackson, Adlai Clarke and all other persons and entities having an interest in the Defendant currency were defaulted for failure to file a claim within the time permitted by Rule G of the Supplemental Rules for Certain Admiralty or Maritime Claims and Asset Forfeiture Claims (Doc. #12); and,

That no other claim or answer has been filed on behalf of any other party.

Now, therefore, on motion of the United States for a Decree of Forfeiture and for good cause otherwise shown, it is hereby:

ORDERED, ADJUDGED, AND DECREED that the Defendant currency be forfeited to the United States and no right, title or interest in the Defendant currency shall exist in any other party; and,

The Defendant currency shall be disposed of according to law.

DONE this the ____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE